

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ MAY 10 2005 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ALFONSO PIMENTEL,

Petitioner,

-against-

ALBERTO GONZALEZ, Attorney General of the  
United States, et al.,

Respondents.

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A Memorandum and Order of Honorable Nicholas G. Garaufis, United States District Judge, having been filed on May 3, 2005, granting the petition for a writ of habeas corpus; ordering the respondent, in good faith, to consider the appropriateness of transferring the petitioner to a Community Confinement Center in light of the factor set forth in Section 3621(b) and any additional factors deemed appropriate by the Bureau of Prisons, without reference to the Bureau of Prisons policy promulgated in December 2002 and without reference to the Bureau of Prisons's February 14 Amendment to 28 C.F.R. § 570.21; and directing that the respondent is to make this determination promptly, and, in no event, later than ten (10) days from the date of this Order; it is

JUDGMENT  
05-CV- 1199 (NGG)

ORDERED and ADJUDGED that the petition for a writ of habeas corpus is granted; that the respondent is ordered, in good faith, to consider the appropriateness of transferring the petitioner to a Community Confinement Center in light of the factors set forth in Section 3621(b) and any additional factors deemed appropriate by the Bureau of Prisons, without reference to the Bureau of Prison's February 14, Amendment to 28 C.F.R. § 570.21; and that the respondent is to make this determination promptly, and, in no event, later than ten (10) days from the date of this Order.

Dated: Brooklyn, New York  
May 10, 2005

ROBERT C. HEINEMANN  
Clerk of Court